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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RSA 121/2024 & CM APPL. 39873/2024 & 39877/2024 (for delay)

BALWAN SINGH SAINI NOW DECEASED THROUGH
LRS & ORS.

.....Appellants

Through: Mr. Siddharth Bhatnagar, Sr. Adv,
Mr. Saaket Jain, Ms. Shivangi Anand,
Mr. Parth Taran Singh, Mr. Sarthak K.
Meena and Ms. Pracheta Kar Advs.

versus

PREM PRAKASH SAINI & ORS.

.....Respondents

Through: Nemo.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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18.07.2024

CM APPL. 39872/2024, 39874-76/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

RSA 121/2024

3. The present Regular Second Appeal under Section 100 read with Section 151 of the Code of Civil Procedure, 1908 has been filed by the appellants against the respondents seeking the following relief:

“Set aside the impugned judgment and order on appeal dated 26.03.2024 passed by Ld. ADJ Sh. Kishor Kumar, ADJ-04, North District, Rohini Courts, Delhi in RCA DJ No. 46/2017 titled as Balwan Singh Saini (now deceased) Through LRS versus Prem Prakash Saini and Ors. and also set aside the judgment dated 15.04.2017 passed by Sh. Chander Mohan,



Civil Judge-04, (West) THC, Delhi in Civil Suit No. 8766/2016 titled as Balwan Singh Saini versus Prem Prakash Saini and Ors..”

4. Learned counsel appearing on behalf of the appellants states that there were inconsistencies and contradictions in the statements of the witnesses regarding the documents such as Will, Agreement to Sell, Special Power of Attorney, which they allege are forged documents. It is further stated that the entire case of respondent No. 1 is based on the forged documents.
5. Issue notice to the respondent by all permissible modes, including electronically, *dasti* as well, returnable on 06.11.2024.
6. Trial Court record in digitized form be called before the next date of hearing.
7. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JULY 18, 2024/A

[Click here to check corrigendum, if any](#)